

April 22, 2011

Representative Hugh Crawford
Regulatory Reform Committee, Chair
887 House Office Building
P.O. Box 30014
Lansing, Michigan 48933

Re: SB245 (Proos) Construction; other; eligibility for beach or residential lift; allow adoption of local ordinance to set construction standards

Dear Representative Crawford,

The above referenced item SB 245 appearing before your committee at 10:30 AM on Wednesday April 27, 2011, leads me to be gravely concerned for the safety and well being of the end users should it be approved as submitted.

I have been involved in the elevator industry for over 41 years in the State of Michigan and have served on a National Elevator Safety Committee and the Elevator Safety Board for the State of Michigan. I am the past president of McNally Elevator Company, which is currently working on their 61st year in the elevator business and have enjoyed the opportunity to install, service and repair all types of elevator equipment in all types of environments.

SB 245, which is before your committee, does not take into consideration the level of safety required between an Inclined Elevator used by any adult, teenager or child and that of a Private Residence Inclined Elevator used by members of a single family. Michigan has been extremely diligent in providing safe elevator transportation for any person using elevator equipment. Any individual entering an elevator in our State takes for granted the system will operate safely and injuries will not be incurred. Achieving this level of comfort is directly related to the Rules and Regulations governing the respective equipment, the maintenance and service by competent mechanics and the oversight of the Elevator Safety Division.

The American Society of Mechanical Engineers has a Safety Code for Elevators and Escalators known as ASME A17.1. Within that document a clear distinction is made between a "Private Residence Inclined Elevator" and "Inclined Elevators" The committees of A17.1 reviewed all safety concerns, use application and engineering requirements before forwarding the Standard for approval. In turn Michigan's Elevator Safety Division before updating and adopting codes has a diversified committee review the ASME A17.1 for modifications or approvals.

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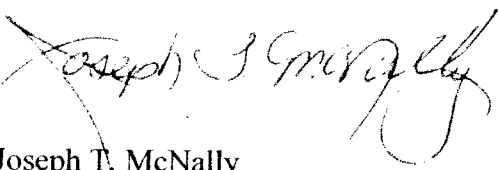
Both ASME and The Elevator Safety Division are concerned with the safety of any person using this type of equipment and both groups feel there should be a difference between the rules governing the two types of equipment covered under SB 245. I concur with both groups that there is a need for different rules to eliminate the potential for injury.

I ask your committee not to approve SB 245.

Should your members feel further study is warranted, please involve the Elevator Safety Division and allow all concerned parties the opportunity to present their views for your consideration.

Thank you in advance for your attention in this matter.

Respectfully submitted,



Joseph T. McNally
6560 Sunburst Drive
Portage, MI 49024

c: Representative Margaret O'Brien